



Security Council

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Resolution 2616 (2021)

Adopted by the Security Council at its 8942nd meeting, on 22 December 2021

The Security Council,

Reaffirming the principles and purposes of the Charter of the United Nations,

Gravely concerned that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons in many regions of the world continue to pose threats to international peace and security, cause significant loss of life, contribute to instability and insecurity and continue to undermine the effectiveness of the Security Council in discharging its primary responsibility for the maintenance of international peace and security,

Concerned that illicit trafficking and diversion of arms and related materiel of all types undermine the rule of law and human rights, and has the potential to undermine the respect for international humanitarian law, can impede the provision of humanitarian assistance and have wide ranging negative humanitarian and socioeconomic consequences,

Recognizing that arms embargoes are, inter alia, aimed at preventing illicit flows of arms, including small arms and light weapons, and related materiel to conflict situations that the Security Council has determined to be a threat to international peace and security, and therefore contribute to respect for international humanitarian law, the safety of and preventing the endangerment of civilians, including the disproportionate impact on women, such as exacerbating sexual and gender-based violence, as well as the impact on children, refugees, internally displaced persons and other groups in vulnerable situations, as well as to the safety of peacekeepers and humanitarian personnel, and *recalling* the Council's relevant resolutions and statements of its President,

Further recognizing that each Council-mandated arms embargo is context specific and is subject to periodic review by the Security Council,

Emphasizing that the provisions in this resolution on addressing the illicit transfer, destabilizing accumulation and diversion of arms and related materiel in violation of Council-mandated arms embargoes, are to be interpreted in accordance with the Charter of the United Nations,

Acknowledging the important contribution of Council-mandated arms embargoes in countering the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, and *noting* the need to improve information sharing on



possible arms embargo violations between groups of experts, peacekeeping missions within their mandates and other relevant United Nations entities,

Condemning the illicit flows of arms and related materiel of all types, in violation of Council-mandated arms embargoes, including when they result in supplies to and between non-State actors, including terrorists and criminals, and when they undermine the sovereignty and territorial integrity of Member States, as a serious threat to peace and stability, and *calling upon* Member States to prevent and disrupt procurement networks for such weapons,

Stressing the importance of Member States providing and exchanging timely and up to date information on possible arms embargo violations in order to identify and combat illicit trafficking sources and supply chains,

Recognizing the importance of building Member States' capacities to enable them to gather information on all aspects of networks that use false documentation to evade inspections and facilitate breaches of Council-mandated sanctions, including information on suspected traffickers and trafficking routes, suspected illicit financial transactions and brokering activities for, or diversion of, arms and related materiel of all types,

Welcoming the cooperation between Member States, including through joint border activities, with a focus on the prevention of arms trafficking in violation of Council-mandated embargoes,

Acknowledging with appreciation the efforts made by intergovernmental, regional and subregional organizations, including through regional initiatives, strategies and action plans, in supporting Member States in the effective implementation of arms embargoes imposed by the Security Council, and in capacity-building to prevent and address the illicit trade in, and destabilizing accumulation of, small arms and light weapons, and to prevent their illicit diversion in violation of Council-mandated embargoes,

Reiterating that United Nations peacekeeping operations and other relevant Council-mandated entities, located in a Member State or region with a Council-mandated arms embargo, may, as mandated by the Council, assist with appropriate expertise and capacity-building for host governments in the field of weapons collection, disarmament, demobilization, and reintegration programmes, enhancing physical security and stockpile management practices, record keeping and tracing capacities, development of national export and import control systems, enhancement of border security, and strengthening judicial institutions and law enforcement capacity,

Urging the full and effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and recognizing its important contribution to international efforts on this matter,

Noting that marking, tracing, and record-keeping of arms, including small arms and light weapons, by Member States, particularly countries in conflict and post-conflict situations, can serve to detect violations of applicable arms embargoes and identify weaknesses in stockpile management, and *further urging* the full and effective implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument) in this regard,

Stressing the importance of assisting Member States under Council-mandated arms embargoes to monitor and control stockpiles of arms, including small arms and

light weapons, in order to prevent looting or their acquisition from national stockpiles by non-State actors, including terrorists, criminals and other unauthorized recipients,

Acknowledging the value of the Security Council Sanctions Committees' guidance, including through non-binding guidelines, to Member States for complying with the provisions and obligations under the respective resolutions that impose sanctions,

Stressing that measures taken by Member States to comply with Council-mandated arms embargos, including measures to counter illicit trafficking and diversion of arms and related materiel, as well as illicit financing, must comply with their obligations under international law, including international humanitarian law and international human rights law, as applicable, and *further stressing* the importance of Member States sufficiently addressing this matter through domestic authorities, in accordance with their national laws,

Urging Member States to mainstream perspectives that take into account the disproportionate impact of the flows of illicitly trafficked weapons on women and children in policymaking and implementation processes of programmes to combat the illicit trafficking and diversion of arms and related materiel of all types, in violation of Council-mandated embargoes, and *recognizing* the importance of women's full, equal and meaningful participation in all such efforts,

Taking note of the recommendations in the Secretary-General's report to the Council of 30 September 2021 entitled "Small arms and light weapons" ([S/2021/839](#)),

1. *Resolves* to consider, on a case-by-case basis and when appropriate, during the renewal of mandates of peace operations that coincide where arms embargoes have been mandated by the Security Council, whether and how the peace operations could support relevant national authorities in combating the illicit transfer and diversion of arms in violation of the arms embargoes in their respective areas of operation;

2. *Also encourages* its peace operations and relevant United Nations entities to assist in reinforcing capacities of host nation authorities, at their request, in data collection and training to counter the illicit transfer of arms and related materiel of all types, where appropriate and consistent with their mandates;

3. *Emphasizes* that the capacity of States under Council-mandated embargoes to exert effective control over their existing arms and ammunition stockpiles and future imports with a view to preventing such weapons from being diverted to the illicit market will be duly considered by the Council when evaluating the possible lifting of an arms embargo;

4. *Stresses* that subject to the particular exemptions to each arms embargo, arms and related materiel of all types that are supplied, sold or transferred as security or disarmament assistance under exemptions should not be resold to, transferred to, or in other ways made available for use by parties other than the designated end user or other users explicitly permitted under the relevant embargo, and should not have end uses other than those specified or otherwise explicitly permitted under the relevant embargo;

5. *Encourages*, as a best practice, the establishment of baseline arms inventories by States under Council-mandated embargoes, as well as arms marking and registration systems, in situations where a United Nations arms embargo coincides with disarmament, demobilization and reintegration efforts;

6. *Encourages* Member States to ensure adequate marking and record-keeping measures are in place to trace arms, including small arms and light weapons,

as required by the international and regional instruments to which they are parties, and consider how best to assist, where relevant and upon their request, neighboring countries of States under Council-mandated embargoes in preventing and detecting illicit trafficking and diversion in violation of embargoes;

7. *Encourages* regional land, air, and maritime cooperation, as applicable, to detect and prevent violations of Council-mandated arms embargoes as well as to report cases of violations in a timely manner to the corresponding sanctions committees;

8. *Requests* the full cooperation of Member States, in particular those under Council-mandated arms embargoes, with the corresponding Panel of Experts, and *further stresses* the importance of allowing such Panels of Experts, whenever and wherever possible, to conduct inspections, or to be provided with samples, of seized military equipment transferred illicitly in contravention of the respective embargoes;

9. *Affirms* its resolve to designate, where appropriate and under applicable sanctions regimes, those individuals who have been involved in activities prohibited by Council-mandated embargoes;

10. *Encourages* Member States to undertake due diligence measures concerning the export of the commercially-available components of weapons systems to States under Council-mandated embargoes that may be used by designated individuals and entities or armed groups in contravention of the respective embargoes;

11. *Encourages* Member States, as well as relevant international organizations, in a position to do so, to provide capacity building and the training of national customs, border control, and other such relevant agencies, to carry out inspections regarding Council-mandated embargoes;

12. *Recognizes* the value of Member States' engagement with the private sector and other relevant stakeholders and sharing information about the implementation of the provisions and obligations contained in resolutions establishing arms embargoes;

13. *Requests* the Secretary-General to consider recommendations in his regular country specific reporting to the Security Council, as and when appropriate, on tasks that could be performed by peace operations and relevant UN entities that coincide where arms embargoes have been mandated by the Security Council, in accordance with their mandates, to provide assistance to relevant national authorities, *inter alia*, in monitoring of said embargoes, identification of illicit sources of arms, and tracing seized, found and surrendered arms, as well as tasks to support relevant sanctions committee expert panels;

14. *Requests* the Secretary-General to include further information on general trends of illicit trafficking and diversion in contravention of Council-mandated arms embargoes, as well as further recommendations on this matter, in the biennial reports pursuant to resolution [2220 \(2015\)](#).